GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Planning Department – Sri D. Anand Naik, Joint Director, the then Chief Planning Officer, Chittoor - Departmental Proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charges - Issued.

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Planning (III) Department

G.O.Rt.No.154 **Dated: 16-11-2023.**

Read:-

From the Director, Directorate of Economics & Statistics (DE&S),Lr.No.3813/Admn/DAC/GZ/2023,Dt:29.09.2023.

O R D E R:

It is proposed to initiate Departmental Proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 against Sri D. Anand Naik, Joint Director in accordance with the procedure laid down in the Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The statement of articles of charges and statement of imputations of misconduct of mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed Annexures I & II. A list of documents by which, the articles of charges proposed to be sustained are also enclosed in Annexure III respectively.

3. Sri D. Anand Naik, Joint Director, the then Chief Planning Officer, Chittoor directed to submit his Written Statement of Defense, within 10 days from the date of receipt of this order.

4. Sri D. Anand Naik, Joint Director, the then Chief Planning Officer, Chittoor is further informed that, if he does not submit his written statement of Defense on or before the date specified in the Para(3) above, further action will be processed based on the material available.

5. Attention of Sri D. Anand Naik, Joint Director, the then Chief Planning Officer, Chittoor is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or Outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri D. Anand Naik, Joint Director, the then Chief Planning Officer, Chittoor is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

6. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME O F THE GOVERNOR OF ANDHRA PRADESH)

M.GIRIJA SHANKAR,
E.O.SECRETARY TO GOVERNMENT (FAC).

To
Sri D. Anand Naik, Joint Director,
the then Chief Planning Officer, Chittoor
Through Director, Directorate of Economics & Statistics
(DE&S), Gollapudi, Vijayawada.

Copy to:
The Director, Directorate of Economics & Statistics (DE&S),
Gollapudi, Vijayawada.

SF/SC

// FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI D. ANAND NAIK, FORMERLY CHIEF PLANNING OFFICER, CHITTOOR AND NOW WORKING AS PROJECT DIRECTOR, DRDA, YSR DISTRICT, KADAPA (ON DEPUTATION)

Sri D. Anand Naik, aged about 59 years, joined in the Government Service on 04-12-1993 as Assistant Director and worked as Chief Planning Officer, Chittoor district from 12-06-2019 to 18-11-2020 and committed administrative lapses during the above period.

CHARGE – I

That the said Sri D. Anand Naik, Joint Director, while he was working as Chief Planning Officer, Chittoor district from 12-06-2019 to 18-11-2020, is held responsible for the delay and lapses occurred in framing the charges against Sri P.Sasikar,Sr. Asst., who was unauthorized absent to official duties since 05-07-2017.

Thus, Sri D. Anand Naik showed dereliction of duties under rule 3 of APCS (Conduct Rules), 1964.

CHARGE – II

That the said Sri D. Anand Naik, Joint Director, while he was working as Chief Planning Officer, Chittoor district from 12-06-2019 to 18-11-2020, is held responsible for not initiating steps in Gazette publication of Article of Charges framed against Sri P. Sasikar, Sr. Asst. on his unauthorized absence w.e.f. 05-07-2017 as per Rule 42(iii) of APCS (CCA) Rules, 1991, in spite of several reminders issued from the Directorate of Economics and Statistics (HoD).

Thus, Sri D. Anand Naik showed dereliction of duties under rule 3 of APCS (Conduct Rules), 1964.

CHARGE – III

That the said Sri D. Anand Naik, Joint Director, while he was working as Chief Planning Officer (FAC), Chittoor district from 12-06-2019 to 18-11-2020, is held responsible for not issuing the proper instructions from time to time to his subordinate staff in circulating file and also not adhering to the instructions of the HoD.

Thus, Sri D. Anand Naik showed dereliction of duties under rule 3 of APCS (Conduct Rules), 1964.

M.GIRIJA SHANKAR,
E.O.SECRETARY TO GOVERNMENT (FAC).

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF DERELICTION OF DUTIES BY SRI D. ANAND NAIK, FORMERLY CHIEF PLANNING OFFICER, CHITTOOR AND NOW WORKING AS PROJECT DIRECTOR, DRDA, YSR DISTRICT, KADAPA (ON DEPUTATION)

CHARGE – I

That the said Sri D. Anand Naik, Joint Director, while he was working as Chief Planning Officer (FAC), Chittoor district from 06-03-2019 to 11-06-2019 and 19-11-2020 to 26-09-2021 in two spells, is held responsible for the delay and lapses occurred in framing the charges against Sri P. Sasikar, Sr. Asst., who was unauthorized absent to official duties since 05-07-2017.

FACTS & EVIDENCE:

Brief facts of this file are that Sri P. Sasikar, Senior Assistant who proceeded on long leave from O/o Chief Planning Officer, Kurnool, was posted as Senior Asst. in O/o Chief Planning Officer, Chittoor and the individual joined on 07-06-2017. The individual was unauthorized absent to official duties with effect from 05-07-2017 as informed by the Chief Planning Officer, Chittoor vide his letter No.13/SA2/2014, dt. 06-11-2017. The Director, DES vide memo dt. 07-04-2018, instructed the Chief Planning Officer, Chittoor to prepare and issue article of charges on Sri P. Sasikar, Senior Assistant for his un-authorized absence to official duties. He did not serve the article of charges to the individual stating that whereabouts of the individual was not known to him, vide his letter dt. 24-07-2018. The Director, DES vide Memo dated 15-11-2018, instructed to publish the show cause notice to the individual in local newspapers on or before 30-11-2018. But, the Chief Planning Officer got it published in local newspapers (Eenadu, Vaartha & Andhra Jyothi) on 05-12-2018 as informed in his letter dt. 14-12-2018.

CHARGE – II

That the said Sri D. Anand Naik, Joint Director, while he was working as Chief Planning Officer, Chittoor district from 12-06-2019 to 18-11-2020, is held responsible for not initiating steps in Gazette publication of Article of Charges framed against Sri P. Sasikar, Sr. Asst. on his unauthorized absence w.e.f. 05-07-2017 as per Rule 42(iii) of APCS (CCA) Rules, 1991, in spite of several reminders issued from the Directorate of Economics and Statistics (HoD).

CHARGE – III

That the said Sri D. Anand Naik, Joint Director, while he was working as Chief Planning Officer (FAC), Chittoor district from 12-06-2019 to 18-11-2020, is held responsible for not issuing the proper instructions from time to time to his subordinate staff in circulating file and also not adhering to the instructions of the HoD.

FACTS & EVIDENCE FOR CHARGE-II & III:

The Director, DE&S vide Memo dt. 08-04-2019, instructed to publish articles of charge framed against Sri P. Sasikar, Sr. Asst. for his unauthorized absence to official duties in the AP Gazette as per Rule 42 (iii) of APCS (CCA) Rules, 1991 as it cannot be served or communicated to him since his whereabouts are not known. The Chief Planning Officer, Chittoor was repeatedly instructed/reminded from time to time vide DE&S Memos dated 06-06-2019, 26-11-2019, 23-12-2019, 10-03-2020, 08-06-2020, 05-08-2020 and 05-10-2020. In spite of repeated instructions issued from the HoD, the Chief Planning Officer framed articles of charges against the individual on 03-11-2020 and simply communicated to the address as per SR extract obtained from the Chief Planning Officer, Kurnool, under intimation to DES. But, it was not served on the individual. The Chief Planning Officer, Chittoor did not follow the instructions of the HoD in publishing the articles of charges in the AP Gazette and simply prepared the articles of charges and sent by post. Again, the Director, DE&S vide Memos dated 01-02-2021 and 21-04-2021, instructed the CPO to take immediate action in publishing the articles of charges in AP Gazette without further delay. After elapsed of 2 years, the CPO requested this Office about rule position and competency for publishing the articles of charges against Senior Assistant cadre in the Gazette by

him, taking all the above instructions in a lenient view, through his letter dated 01-06-2021. Again, he was instructed to take action in this regard as per Rule position already indicated, vide DE&S Memo dated 19-07-2021. If the district administration took appropriate action as per instructions of the HoD from time to time, Rule-5 of AP Leave Rules, 1933 and other relevant rules under APSSSR, 1996 would have been initiated against the individual on his unauthorized absence to official duties for more than one year.

The Chief Planning Officer through his letter dated 21-08-2021, informed that Sri P. Sasikar, Sr. Asst., who was unauthorized absent to official duties, expired on 17-08-2021 due to ill health. After death of Sri P. Sasikar, the Chief Planning Officer addressed/reminded the Chief Planning Officer, Kurnool to send his SR and LPC to his Office, vide letter dt. 13-09-2021.

As the matter stood this, Smt. P. Jayasree Chowdary, wife of (late) Sri P. Sasikar, Sr. Asst. (unauthorized absent) requested to provide job on compassionate appointment and financial benefits, family pension, etc. She approached Hon'ble High Court for her compassionate appointment and the Hon'ble High Court issued orders on 25-07-2022, directing the Director, DE&S to take a decision within four weeks. The entire matter was brought to the notice of the Government for instructions. After receiving necessary instructions/ clarification from the Government, she was appointed as Junior Assistant on compassionate grounds in DE&S.

Enquiry was conducted through Sri T. Basava Raju, Joint Director, DE&S, Vijayawada on the above delay and lapses in O/o Chief Planning Officer, Chittoor with instructions to identify the employees responsible for such lapses. The Enquiry Officer reported that no proper maintenance of the files in CPO's Office, Chittoor and no frequent correspondence is made. The Subordinate staff did not take any initiation in circulating the file to the CPO. The CPO did not issue instructions to his subordinate staff about gazette notification. The Enquiry Officer observed the gross negligence on the part of district administration.

Sri D. Anand Naik worked as Chief Planning Officer, Chittoor from 12-06-2019 to 18-11-2020. He worked 1 year, 5 months service in O/o Chief Planning Officer, Chittoor, in which he was repeatedly instructed with seven (7) reminders from the HoD to take action in this regard. But, he did not obey the instructions of the HoD and shown lack of devotion to duty.

Thus, Sri D. Anand Naik by his above mentioned dereliction of duties/acts exhibited his lack of integrity and devotion to duty and thereby violated Rule 3(1) of APCS (Conduct) Rules, 1964.

M.GIRIJA SHANKAR,
E.O.SECRETARY TO GOVERNMENT (FAC).

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI D. ANAND NAIK, FORMERLY CHIEF PLANNING OFFICER, CHITTOOR AND NOW WORKING AS PROJECT DIRECTOR, DRDA, YSR DISTRICT, KADAPA (ON DEPUTATION)

Sl.No.	Details	Sheets
1.	CPO Lr. No.13/SA2/2014, dt. 06-11-2017	1
2.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt.07-04-2018	1
3.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt.18-07-2018	1
4.	CPO Lr. No.13/SA2/2014, dt. 24-07-2018	1
5.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt.15-11-2018	1
6.	CPO Lr. No.07/SA2/2017, dt. 14-12-2018	1
7.	CPO Lr. No.07/SA2/2017, dt. 21-01-2019	1
8.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt.08-04-2019	1
9.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 06-06-2019	1
10.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 26-11-2019	1
11.	CPO Lr. No.07/SA2/2017, dt. 05-12-2019	1
12.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 23-12-2019	1
13.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 10-03-2020	1
14.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 08-06-2020	1
15.	DES Memo No.3795/Admn.I/A5/Mini/2019, dt. 05-08-2020	1
16.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 05-10-2020	1
17.	CPO Charge Memo No.13/SA2/2014, dt. 03-11-2020	1
18.	DES Memo No.2953/Admn.I/A5/Mini/2017,dt. 01-02-2021	1
19.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 21-04-2021	1
20.	CPO Lr. No.07/SA2/2017, dt. 01-06-2021	1
21.	DES Memo No.2953/Admn.I/A5/Mini/2017, dt. 19-07-2021	1
22.	CPO Lr. No.07/SA2/2017, dt. 21-08-2021	1
23.	Enquiry Report of Sri T. Basava Raju, Joint Director, DES	14

M.GIRIJA SHANKAR,
E.O.SECRETARY TO GOVERNMENT (FAC).